10

The Lord Byrons FIRST ARTICLES

Presented to Sir *William Brereton*

BEFORE

The Surrender of the City

OF

CHESTER:

VVherein the great Ambition of that party doth appear,

And as by the last Articles whereunto he subscribed is to be seen at large.

LONDON:

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СНЕЗЛЕК

The Lord *Byrons* first Articles presented to Sir *William Brereton*.

1. THat my self, all Noblemen, Commanders, Officers, Gentlemen and Souldiers, of Horse or Foot, that do or have served His Majesty or Parliament in *England* or elsewhere; and likewise all persons whatsoever now residing here in this City of *Chester*, Castle and Fort thereof, of what Nation, Countrey or Religion soever, shall have liberty to march away out of the said City, Castle, and Fort, with their compleat Arms, Colours flying, Drums beating, Trumpets sounding, their Pistols and Carbines in their hands, Swords drawn, Matches lighted at both ends, Bullets in their mouths, each man a pound of Powder, Bullet and Match proportionable, in their rank and form, as they used to march in Batalia, with their Goods, Bag and Baggage, to any of His Majesties Armies or Garrisons as I shall desire: And that such of the City Regiment under the command of Sir *Francis Gunnell* as are minded to stay in the City, be suffered so to do, and enjoy their Arms and Goods, and all such priviledges as are in the several Articles proposed for the Citizens.

2. That neither my person, nor the person of any Nobleman, Commander, Officer, Gentlemen or Souldier, or any other, mine or any of their Servants or Retinues, be searched, molested or troubled upon any pretence whatsoever, but left with their liberties to march with their Arms or stay, as seems most convenient to them.

3. That none of your Army whatsoever shall entice or perswade any Officer or Souldier under my command from their mind or colours, with any promise of preferment, or reward or any other inducement.

4. That no person comprised in these Articles shall in their March, Rendezvouz, or Quarters, be stript, searched or plundred upon any pretence whatsoever.

5. That I have with me two pieces of brasse Canon out of the City, the other out of the Fort, and one case of Drakes, with their traine and equipage, and Ammunition sufficient to discharge each Canon twelve times, and also ten Barrels of Powder, with Bullet and Match proportionable.

6. That all Officers and Souldiers of what quality or condition soever they are, sick or hurt in the Hospital or elsewhere in the Garrison, shall have liberty to stay till they shall be recovered, and then have Pass and safe conduct to go to any His Majesties Armies or Garrisons, or their own houses or friends, where they may be quiet, as shall be by them or any of them required, and in the mean time to be provided for and protected by you and have civil usage.

7. That all military Officers, Gunpowder-makers, and other Workmen whatsoever, with their Horses, Bag and Baggage, have liberty to march away with me, or to have Passes to go to any of His Majesties Armies or Garrisons as shall be desired.

8. That such a number of Carts, Horses and Boats as I shall require for my self, Officers and Souldiers, to carry their goods, Arms, and Baggage, be provided and allowed, and in no case or pretence whatsoever, any of their Carts, Wayns, Boats, or Port-Mantuaes, or Cloak-bag, or otherwise, be searched, and that an Officer or Officers be by you appointed to provide Horses and Boats, and carriages for our Baggage and Train.

9. That any the persons of what condition soever, in any the preceding or subsequent Articles mentioned, may have liberty to go beyond the Sea, from any the Ports in the power of the Parliament, at any time within three Moneths after the Signing of these Articles, with their Goods, as their occasions shall require; and that upon demand you grant to all such effectual Passes to that purpose.

10. That the Wives and Families of any the Officers and Souldiers marching out of this City or elsewhere in His Majesties Service or Prisoner with you, have liberty to stay in the Town for three moneths, to dispose of their Goods and Estates to the best advantage, without any confiscation or prey to be made of them, and at the end of three moneths, to have a Convoy and Passes for their safe travel to such places as they shall require either by Land or Water, and to carry with them such Moneys and Goods as they shall have by them.

11. That the Earl of *Liechfields* Body attended by his Servants, have a Passe and safe Convoy to *Oxford* when it shall be required, to be there Interred; as also the Earl of *Derbies* Body, and all such other Bodies which lie in any of the Churches of the city unterred, may be conveyed by their several Friends, to be Interred

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as shall be by them desired, and safe Convoyes and Passes granted for that purpose.

12. That the Archbishop of *Armagh*, his Library and Maddals, may be conveyed to *Conway* or elsewhere, and Waggons or Boats at my choise appointed to carry them: And that the Goods of the Duke of *Buckingham* committed to the custody and charge of Alderman *Cooper*, then Mayor by the special Command of His Majesty; and all other the Goods of any other person, either Souldier or other, left in this Garrison for security, may, if they desire it, be conveyed to *Conway* or elsewhere, by Land or Water, within three moneths, without any losse or damage to be done unto them.

13. That the Fort at Hanbridge built by Command before this present Siege, be forthwith demolished and thrown down.

14. That upon Agreement and Pacification betwixt King and Parliament, this City and Castle shall upon demand, by His Majesty or such as he shall appoint, to be surrendred and delivered unto His Majesty, or any other whom he shall appoint or authorize to receive the same.

15. That a generall Exchange for all prisoners on both sides be agreed upon and perfected, and of all such for whom no Exchanges can be proposed, may be ransomed for a moneths pay.

16. That there be a cessation of Arms and Hostility in the counties of Northwales for ten dayes from the time of my marching out, and that you shall not impose or leavie any Contribution or Taxation, or permit any free quarter in the said counties during the time within mentioned, and that I have for that time an Authentique Passe and Convoy, to travel to His Majesty whithersoever, with such Gentlemen and Officers, and to return as I shall desire, not exceeding fifty in number, and to return again into any part of Northwales without interruption.

17. That a Convoy of 200. horse be allowed for our Guard and safe conduct to *Denbigh*, and to have four dayes allowed to march thither, and the Convoy to return thence to *Chester*, and that until the Convoy be returned, all your Forces and Souldiers of your Army be drawn to *Cheshire* side, and a good Guard appointed to hinder them to march over the water.

18. That Hostages (such as I shall accept of) be delivered to the Governour of *Denbigh* upon the signing hereof, for the due and punctual performance of these Articles.

19. That

19. That all Citizens, as wel Souldiers as others, together with the Noblemen, Gentlemen, Officers, Clergy, and all other Inhabitants whatsoever, shall enjoy their lives, liberties and estates, within the City or elswhere, in as full and free a manner as heretofore they have done, and that no violence shall be offered to any person of what degree soever, or any shall be plundred or robbed upon any pretence whatsoever, or enforced to bear Arms against their wills, and that Iustice according to the known Laws of the Land, and Custome of the city, be administred to all persons within this city by the *Civil Magistrate*.

20. That all the Noblemen, Officers, Gentlemen, Citizens, Clergy, and all others whatsoever now resident in this city, having Houses and Lands in any part of the Kingdom of *England* or Dominion of *Wales*, may from the time of the signing of these Articles, have free liberty to reside at any of their own houses, or elswhere at their choice, and to live without disturbance, and peaceably and quietly enjoy the whole profits of their estates.

21. That no Oath, Covenant or Protestation whatsoever (except such as are required by the Enacted Laws of the Land) be imposed upon any Citizen, Souldier, Nobleman, Gentleman, Clergy, or Inhabitant whatsoever in this city.

22. That if any the Citizens or persons before nominated, shall desire to go beyond Seas upon their occasions, they shall have liberty to passe to any place whatsoever, at any time within six moneths.

23. That the Garrison which shall be placed within this City, consist only of Cheshire men, and be maintained with Contribution out of that County, and not by Free-quartering upon the Inhabitants within the City.

24. That the Mayor, Aldermen, Sheriffs and free Citizens, as well Souldiers as others, shall enjoy all their ancient Priviledges and Immunities as formerly they have done, without Breach or Interruption, and shall have freedom of Trade and Traffique by Land or Sea, at all places, with all persons not in Hostility against the Parliament: And that none be hereafter questioned upon any act or thing done or committed heretofore.

25. That no Nobleman, Gentleman, Citizen, Officer, Clergyman, or persons residing in this City, shall from this time be questioned for any Speech or Act whatsoever, said or done, or pretended

to be ſaid or done, or for execution of any Commiſſion, Office or Imployment, or Command, Military or Civil, ſince the beginning of the Wars.

26. That the whole Army ſhould not enter this City, but the Commanders, Officers, and a certain number of Souldiers to be agreed upon, and thoſe to be only *Cheſhire* men.

27. That *Dee* Mills, and *Cawſis* Water-works and Tower may be preſerved as now they are, and not demoliſhed nor pulled down, being ſo uſeful to this City.

28. That all Citizens, Gentlemen and Inhabitants whatſoever, as well Souldiers as others, may have the liberty of twelve moneths to remove and go out of this City, with their whole Families, Goods, and Eſtates at their own pleaſures, and for their better removal to have a ſafe conduct and carriages upon eaſie rates, either by Land or Water; and this to be granted at any time, within the term aforeſaid, (if deſired).

29. That all thoſe perſons whoſe dwellings are within the city, though now abſent, ſhall have the benefit of theſe Articles, as if preſent in the city.

30. That all manner of perſons may have and freely enjoy and uſe the benefit of the Laws eſtabliſhed for the preſervation of their Eſtates, and the proſecution of their juſt actions in courſe of judicature as formerly.

31. That no Nobleman, Gentlemen, Citizen, or Inhabitant, ſhall be compelled to any exceſſive Taxation for any of their Lands or Goods, but proportionably with other their Neighbours as formerly.

32. That all our Clergy of or within this city, may return to their Livings, Houſes or Spiritual proportions, execute their functions in their ſeveral Cures, and Preach the Goſpel, and receive all and every their Rites, Dues, Tythes, and other advantages belonging to them, without any moleſtation or diſturbance, as formerly they did, before they departed or were expelled from their ſeveral places of abode; and that ſuch of them as have Preſentations to any Living or Spiritual promotions, may not be hindred to have their reſtitution to the ſame.

33. That no Church nor Chappel in the city be defaced, and that all the Members of the Cathedral Church may enjoy their places or functions, with their profit hereunto belonging as heretofore;

And

And that all Records, Writing Books, Goods and Furniture thereof, may be preserved from violation and prophane abuse.

34. That Sir *Gilbert Haughton*, High Sheriff of the County of Lancaster, with such Noblemen, Gentlemen, Officers and Souldiers, who shall desire it, have Passes for themselves, their Servants, Horses and Goods to *Oxford*, or any of His Majesties Armies or Garrisons, so soon as they shall require the same, after the Signing of these Articles.

35. That all Ladies, Gentlewomen, and other women whatsoever, residing within this City and Garrison, whether named or un-named, of what condition or Religion soever, have liberty immediatly upon the signing of these Articles, to passe and travel with their Servants, Horses and Goods, to such place or places as they desire; and upon their requiring have free Passes and safe conduct for that purpose, or if they think fit and desire it, to have the benefit of the tenth Article, and to be deemed and used as persons intended thereby, and comprised therein.

36. That such Merchants within the city, who shall desire to have Passes to travel into any of the Counties of *North-Wales* about their necessary occasions, and return to this city at any time within these three moneths after the Signing thereof, have liberty so to do, and Passes granted to them for that purpose.

FINIS.